

**ASSEMBLY BILL**

**No. 1363**

---

**Introduced by Assembly Member Roger Hernández**

February 22, 2013

---

An act to amend Section 148 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1363, as introduced, Roger Hernández. Employment: Occupational Safety and Health Appeals Board.

Existing law establishes within the Labor and Workforce Development Agency the California Occupational Safety and Health Appeals Board to conduct hearings when an employer is served with a special order relating to occupational safety and health appeals that order.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 148 of the Labor Code is amended to
- 2 read:
- 3 148. (a) There is in the Department of Industrial Relations the
- 4 Occupational Safety and Health Appeals Board, consisting of three
- 5 members appointed by the Governor, subject to the approval of
- 6 the Senate. One member shall be from the field of management,
- 7 one shall be from the field of labor, and one member shall be from
- 8 the general public. The public member shall be chosen from ~~other~~

1 ~~than the fields~~ *other than* ~~of management and~~ *or* labor. Each  
2 member of the appeals board shall devote his *or her* full time to  
3 the performance of his *or her* duties.

4 (b) The chairman and each member of the appeals board shall  
5 receive the annual salary provided for by Chapter 6 (commencing  
6 with Section 11550) of Part 1 of Division 3 of Title 2 of the  
7 Government Code.

8 (c) The Governor shall designate the chairman of the appeals  
9 board from the membership of the appeals board. The person so  
10 designated shall hold the office of chairman at the pleasure of the  
11 Governor. The chairman shall designate a member of the appeals  
12 board to act as chairman in his *or her* absence.